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May 20, 2022

Via ECF

Honorable Hector Gonzalez
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Case Number: 1:21-cv-03703-BMC
Khusenov v. ProKraft Inc.

Dear Judge Gonzalez:

This office represents defendant/third-party plaintiff, ProKraft Inc. and defendant, Pro-Cut (hereinafter collectively, "Prokraft") in this matter. We have been advised that this matter has been transferred to you. Briefly, this case arises out the plaintiff's claims under *inter alia* a strict products liability cause of action wherein the plaintiff suffered loss of part of his arm from the use of a meat grinder where his co-worker testified to removing the guard to the meat grinder.

We are hereby requesting clarification and/or confirmation from the Court regarding the deadline extensions granted by Judge Cogan at the Hearing on May 2, 2022, which were not reflected in the Minute Entry and Order entered on May 3, 2022. (Please note that a prior letter motion on this issue was filed on May 5, 2022 to Judge Cogan and that has not been addressed). This application seeks the same and additional relief.

As per the Transcript of the Hearing (annexed as Ex "A"), the Court granted defendant's request to extend the Expert Discovery Deadline to July 13, 2022. The Court also extended the deadline to file a Request for a Dispositive Motion Conference to July 20, 2022. These extensions are based on the assumption that defendant will complete expert discovery prior to making a dispositive motion.

Moreover, if defendants wish to move for Summary Judgment without Expert discovery, defendants are to file the motion for summary judgment by 6/02/2022, with opposition due by 6/23/2022 and reply due by 7/03/2022. We seek clarification of these dates and an enlargement of the aforementioned schedule as to fact and expert discovery and the dates for dispositive motions given the bulk of expert discovery required in a case of this nature.

Khusenov v. ProKraft Inc.

May 5, 2022

Pg. 2

Thank you for your consideration herein.

Very truly yours,

O'CONNOR REDD ORLANDO LLP

\s\

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